

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

THOMAS MICHAEL COLT,

Petitioner,

v.

GARY SWARTHOUT, Warden,

Respondent.

No. C 11-1687 PJH (PR)

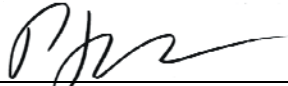
ORDER OF TRANSFER

This is a habeas case filed pro se by a state prisoner. He seeks review of a denial of parole by the Board of Parole Hearings. He was convicted in the Superior Court of San Mateo County, which is in this district, and is housed at California State Prison-Solano, which is in the Eastern District.

Venue is proper in a habeas action in either the district of confinement or the district of conviction, 28 U.S.C. § 2241(d); however, the district of confinement is the preferable forum to review the execution of a sentence. Habeas L.R. 2254-3(a); *Dunne v. Henman*, 875 F.2d 244, 249 (9th Cir. 1989). Because petitioner's challenge goes to the execution of his sentence, this petition is transferred to the United States District Court for the Eastern District of California. See 28 U.S.C. § 1404(a); Habeas L.R. 2254-3(b).

IT IS SO ORDERED.

Dated: June 28, 2011.



PHYLLIS J. HAMILTON
United States District Judge